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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/479,245
Filing Date	January 7, 2000
First Named Inventor	ETSURŌ KISHI, ET AL.
Group Art Unit	2673
Examiner Name	L. Lao
Attorney Docket Number	00684.002954

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submittedi. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 19, 2002  
Any unentered amendment(s) referred to above will be entered.ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on AUG 22 2002iii. ☐ Other \_\_\_\_\_b. ☒ Enclosedi. ☐ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☒ Other Letter

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. ☒ Other Applicants request an additional one month extension of time for reply

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☐ Other \_\_\_\_\_b. ☒ Check in the amount of \$ 1030.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

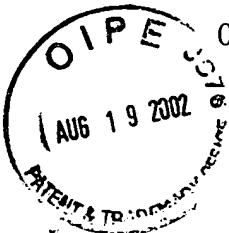
Name (Print/Type)	Justin J. Oliver	Registration No. (Attorney/Agent)	44 986
Signature		Date	August 19, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)		Date	
Signature			

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00684.002954

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: L. Lao
ETSURŌ KISHI, ET AL.	)	
	:	Group Art Unit: 2673
Application No.: 09/479,245	)	
	:	
Filed: January 7, 2000	)	
	:	
For: ELECTROPHORETIC DISPLAY	)	
DEVICE	:	August 19, 2002

The Commissioner for Patents  
Box AF  
Washington, D.C. 20231

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LETTER

Sir:

In the Advisory Action mailed July 29, 2002, the Examiner indicated that issues of new matter were raised by the recitation in Claim 7 of "said charged film having a constant surface charge of a polarity opposite to that of said colored charged particles regardless of polarity of electricity supplied to the associated electrode." Applicants submit that such a recitation is fully supported by the specification as originally filed.

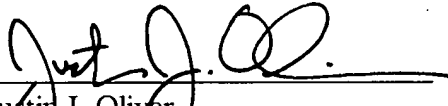
Specifically, Figs. 9 to 14 depict embodiments of the electrophoretic device of Claim 7. In the embodiments, colored particles 7 are positively charged (see e.g., page 45, line 24) and charged films 18 having negative surface charges are formed on display electrodes 4 and counter electrodes 5 (see e.g., page 44, lines 10-15, and page 46, line 12).

The negative surface charges provided to charged films 18 are retained regardless of the polarity of the electricity supplied to the associated electrodes 4 and 5 (“[T]he electrodes 4 of a left cell and a right cell of each device were supplied with -50 volts and +50 volts, respectively, relative to the counter electrodes 5.” Page 46, lines 14-17; see also Figs. 11A to 11C, and page 21, line 8 to page 23, line 9).

Accordingly, Applicants submit the changes to Claim 7 presented in the Amendment After Final Rejection filed July 19, 2002, are fully supported by the specification and do not constitute new matter. Applicants request favorable consideration thereof.

Applicants’ undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
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